



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/655,487	09/05/2000	SHIGERU KAWASAKI	35.C14763	8340

5514 7590 01/29/2004

FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

SHERRILL, JASON L

ART UNIT PAPER NUMBER

2622

DATE MAILED: 01/29/2004

6

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/655,487

Applicant(s)

KAWASAKI ET AL.

Examiner

Jason L Sherrill

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10/09/03.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7-10, 12 and 13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 7, 8, 10, 12 and 13 is/are rejected.
- 7) ☒ Claim(s) 9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 September 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other:

DETAILED ACTION

1. Acknowledgement is made of the Applicants claim to priority and all of the certified copies of the priority documents have been received.

Response to Arguments

2. Applicant's arguments with respect to claims 7 and 8 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 7, 8, 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takakura et al. (U.S. Patent No. 6,339,214), and further in view of Chiang (U.S. Patent No. 6,330,084).

For claim 7, Takakura discloses an image reading apparatus comprising: a scanning member (Fig. 3; col. 3, lines 56-62) movable along an original mounting table (61, Fig. 1; col. 5, lines 29-31) that includes a reading element (5, Fig. 3; col. 4, line 62 - col. 5, line 2) for reading an original image; a frame member housing the scanning member (60, Fig. 1; col. 5, lines 19-

Art Unit: 2622

32); a control board (8, Fig. 1) adapted for controlling the scanning member and provided in the frame member (col. 5, lines 66 - col. 6, line 9).

Takakura fails to disclose an interface connector connected to a signal line of an external apparatus and mounted on a side of the control board.

Chiang discloses an interface connector connected to a signal line of an external apparatus and mounted on a side of the control board (11, Fig. 2; col. 2, lines 52-56).

Chiang does not directly teach that the control board is secured to the frame member at least at one side on which the interface connector is not mounted. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to consider that the placement of the interface connector on the control circuit is a matter of design choice. It has been recognized in the art that whether the interface is mounted on the same side or a different side that the control circuit is mount to the frame, it would perform the same function. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the scanner of Takakura and the scanner of Chiang because both teach scanning devices wherein a portion protruding under the scanning member does not pass on the control board. The improvement on Takakura by Chiang would allow for a smoother and more reliable drive system for the scanning member.

For claim 8, Takakura discloses an image reading apparatus further comprising a conductive board cover for covering the control board (76, Fig. 1; col. 6, lines 6-9).

For claim 10, Takakura discloses an image reading apparatus wherein the control board is fixed to the frame member. It would have been obvious to one of ordinary skill in the art at the time the invention was made to fix the control board to the frame by using a screw.

Art Unit: 2622

Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chiang (U.S. Patent No. 6,330,084).

For claim 12, Chiang discloses an image reading apparatus comprising: a scanning member (18, Fig. 1; col. 2, lines 28-33) movable along an original mounting table (14, Fig. 1; col. 2, lines 33-34) that includes a reading element (20, Fig. 2; col. 2, lines 41-42) for reading an original image; a frame member housing the scanning member (12, Fig. 1; col. 2, lines 28-29); a control board (13, Fig. 2; col. 2, lines 52-53) adapted for controlling the scanning member and provided in the frame member; an interface connector connected to a signal line of an external apparatus and mounted on an inside surface of the frame member (11, Fig. 2; col. 2, lines 54-55); wherein the inside side surface of the frame member is located at the end of a drive direction of the scanning member (Fig. 2); wherein the drive source and drive transmission member is located at a side surface of the frame of the scanning member in such a manner as to move together with the scanning member (26, Fig. 2; col. 2, lines 57-67); wherein the drive source and drive transmission member and the interface connector do not overlap with the original mounting table in a direction perpendicular to the original mounting table surface (Fig. 1).

Chiang does not directly teach that when the scanning member is positioned at the end of a driving movable range on the side at which the drive source and drive transmission member and interface connector are positioned between the side surface of the frame member and the scanning member. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to consider that the placement of the drive source and drive transmission is a matter of design choice. It has been recognized in the art that whether the drive

Art Unit: 2622

source and transmission means is mounted on one side the other of the scanning member frame does not matter. The thickness (height) of the scanner would be the same and the drive source and transmission means would perform the same function. For that matter, it would have been obvious to one of ordinary skill in the art to mount the control circuit of Chiang to the opposite wall to achieve the desired effect of the invention as claimed in claim 12.

For claim 13, Chiang discloses a control board adapted to control movement of the scanning member (13, Fig. 2; col. 2, lines 52-56), and provided in the frame member (13, Fig. 2), wherein the interface connector is mounted on a side of the control board (11, Fig. 2; col. 2, lines 54-56).

Allowable Subject Matter

5. Claim 9 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

Art Unit: 2622


however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason L Sherrill whose telephone number is 703-306-4053. The examiner can normally be reached on M-F 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on 703-305-4712. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

JLS
January 22, 2004


EDWARD COLES
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1000